

**UNITED STATES BANKRUPTCY COURT**

**SOUTHERN DISTRICT OF NEW YORK**

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In re	:	Chapter 11 Case No.
<b>MOTORS LIQUIDATION COMPANY, <i>et al.</i>,</b>	:	<b>09-50026 (REG)</b>
<b>f/k/a General Motors Corp., <i>et al.</i></b>	:	
<b>Debtors.</b>	:	<b>(Jointly Administered)</b>

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Endorsed Order:

The Court believes that it understands the Visnaws' situation and certainly sympathizes with it. But the Court presides only over the General Motors (now called Motors Liquidation) chapter 11 case, and doesn't preside over the Delphi chapter 11 case. The Court is unsure whether the Delphi court could grant relief either, but it is clear that the General Motors court can't.

This determination is without prejudice to (meaning it doesn't affect) the Visnaws' entitlement to relief anywhere else.

Dated: New York, New York  
November 16, 2012

*s/Robert E. Gerber*  
United States Bankruptcy Judge

10-18-2012

Judge Robert E. Gerber  
One Bowling Green  
New York, NY 10004-1408  
Chambers: (212) 668-5660  
Courtroom: 523

Regarding: Workers' Compensation - Delphi Chassis Bankruptcy (hourly worker)

We find that we are in need of some serious help. This case has been in the court system since October 2009. It is now October 2012.

My husband worked for General Motors/Delphi Chassis for over 30 years. 30 years of physical work takes a toll on the body. Terry has had three surgeries on his shoulders for torn rotator cuffs and torn biceps. He cannot do the things he used to enjoy, such as bow hunting, bowling, playing sports and physical things such as maintaining the yard and house. Work comp covered his shoulder surgeries. Work comp did not cover 2 carpal tunnel and elbow surgeries. It also would not cover lower back pain. All of these problems were the result of 30 years of repetitive labor. Through the years there was a slip and fall in the Delphi parking lot which resulted in a broken ankle with a metal plate, numerous sprains and tendon problems in his hands & fingers. He had problems with back pain, but it was something he was hoping would go away. He now has arthritis in his shoulders, hands, ankle and back from the injuries. Having to deal with chronic pain and not being able to do anything resulted in depression. He needs to have more surgery on his shoulders and elbows.

Terry retired on disability and received work comp. He fought for over three years to get disability. We were getting back on our feet when in October 2009 the work comp checks just stopped. This is a state fund that no one was supposed to be able to take away. When Delphi went through bankruptcy, they decided they could no longer afford to pay the work comp. No advance warning – just no more checks. This has affected over 500 people. Every time

our case went to court it was rescheduled or postponed.

In July 2012 a Magistrate finally released the work comp cases from the bankruptcy. Now it is sitting at a desk in the Supreme Court. From there it will go to the United States Bankruptcy Court. It has been four years. How many more years will this take?

We lost over \$2800 a month in work comp wages. Then we lost our vision and dental insurance. Our prescription and doctor co-pays increased. We could not afford our mortgage and lost our home of over 25 years. And what about medications and medical treatment that need to be continued? Terry has had over 12 different surgeries. He is not able to work to supplement our income. I am disabled & received no pension or social security when I was downsized from my job of over 15 years. Often we go without groceries or prescriptions because we simply cannot afford them. Both of us worked most our lives – I never thought I would live to see this happen to us.

We have had our lawyers, Davidson, Breen & Doud standing in our corner but, have seen no remedy to our situation. We need someone else to stand in our corner – please could that be you? Any help you can give us would be deeply appreciated.

Sincerely,  
Terry L. Visnaw  
Linda Visnaw

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